

First Named Inventor: L. Roger Doherty	Attorney Docket No.: 302708.01
Application No.: 10/608,853	Group Art Unit: 2115
Filed: June 27, 2003	Examiner: Sean M. Weinman
Customer No.: 22971	Confirmation Number: 8744
Title: System and Method for Managed Database Query Pre-Optimization	

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1460  
Alexandria, VA 22313-1450

### Comments on Statement of Reasons for Allowance

Dear Sir:

Applicants acknowledge the allowance of claims 1-15 and 24-33 in the subject application by the Examiner with appreciation. The Applicants agree with the Examiner's Statement of Reasons for Allowance to the extent that the claims of the present invention are patentable over the references in the record. The Applicants expressly traverse the Examiner's Statement of Reasons for Allowance to the extent that any comment is intended or has the effect of limiting a claim scope, explicitly or implicitly, by not reciting verbatim the respective claim language, or is intended or has the effect of limiting a claim scope by stating or implying that all the reasons for patentability are in any way fully enumerated.

Moreover, it appears that the Examiner's Statement of Reasons for Allowance reiterates the Examiner's arguments made during prosecution. By virtue of the Examiner's allowance of the claims over the cited references and the associated arguments, it is believed that the previous arguments made by the Examiner have been overcome. Additionally, Applicants specifically do not acquiesce or agree in any manner as to the comments made by the Examiner regarding what the prior does or does not teach. Indeed, Applicants have pointed out the errors in the comments/arguments in Applicants' Response to the Final Office Action.

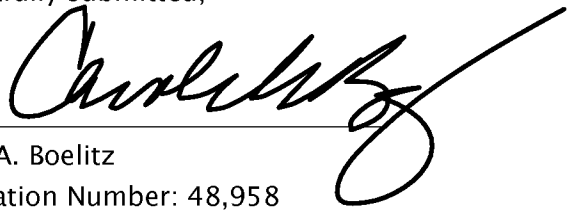
The Applicants further point out that the reasons for allowance set forth by the Examiner are not the only reasons that the claims are allowable. Further reasons for allowance

Microsoft Corporation  
Comments on Statement of Reasons for Allowance  
Matter No.: 302708.01

of the claims beyond those enumerated by the Examiner are described and set forth in the Applicants' specification. In addition, structures and methods that perform substantially the same function in substantially the same way to achieve substantially the same results are included within the scope of the claims.

Finally, as the Examiner's reasons for allowance are not exhaustive, such reasons for allowance do not establish an estoppel against Applicants seeking and obtaining allowance of additional, broader claims in a continuation application, which Applicants reserve the right to file.

Respectfully submitted,

By:   
Carole A. Boelitz  
Registration Number: 48,958  
Direct telephone (425) 722-6035

Date: July 31, 2006  
Microsoft Corporation  
One Microsoft Way  
Redmond WA 98052-6399

**CERTIFICATE OF MAILING OR TRANSMISSION**  
**(Under 37 CFR § 1.8(a)) or ELECTRONIC FILING**

I hereby certify that this correspondence is being electronically deposited with the USPTO via EFS-Web on the date shown below:

July 31, 2006  
Date

  
Signature

Noemi Tovar  
Printed Name

Microsoft Corporation  
Comments on Statement of Reasons for Allowance  
Matter No.: 302708.01